

1717.

2 and 3 CHARLES Lord BALTIMORE.

C H A P. X.
imposed by 1715, ch. 36, §. 8
Penalty for Concealment.

ling per Poll, imposed by a former Act of Assembly of this Province, on Penalty and Forfeiture of Five Pounds Current Money per Poll, for every Negro kept back or unaccounted for; to be recovered as aforesaid, and applied to the Uses aforesaid.

To be applied to the Encouragement of one School in each County.

IV. ~~Which~~ said Duties of Twenty Shillings Current Money per Poll, shall, for the Advancement of Learning, be applied towards the Encouragement of one Public School in every County within this Province, (*That is to say,*) one equal Share thereof towards the Support of each School, according to the Directions of such Act or Acts of Assembly, as shall hereafter direct therein.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.

C H A P. XI.

Passed 8th June 1717.

An Act empowering John Oldham of Talbot County, Gent. to erect and build a Wind-Mill in the Town and Port of Oxford, on the Town-Point, in Talbot County. Lib. LL. N° 4. fol. 375. PR.

C H A P. XII.

Ditto.

An Act for the better Security of Mary Smithson, Widow, and Executrix of the Last Will and Testament of Colonel Thomas Smithson, in the Payment of a Debt due from the said Colonel Smithson's Estate to the Free-Schools of Maryland. Lib. LL. N° 4. fol. 376. PR.

C H A P. XIII.

Ditto.

A Supplementary ACT to the * Act relating to Servants and Slaves. Lib. LL. N° 4. fol. 377.

Preamble.

WHEREAS it may be of very dangerous Consequence to admit and allow as Evidences in Law, in any of the Courts of Record, or before any Magistrate within this Province, any Negro, or Mulatto Slave, or Free Negro, or Mulatto born of a White Woman, during their Servitude appointed by Law, or any Indian Slave, or Free Indian Natives of this or the neighbouring Provinces:

No Slave, Free Negro, Indian, &c. shall be admitted Evidence where a Christian White Person is concerned.

II. Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and by the Authority of the same, That from and after the End of this present Session of Assembly, no Negro, or Mulatto Slave, Free Negro, or Mulatto born of a White Woman, during his Time of Servitude by Law, or any Indian Slave, or Free Indian Natives of this or the neighbouring Provinces, be admitted and received as good and valid Evidence in Law, in any Matter or Thing whatsoever, depending before any Court of Record, or before any Magistrate within this Province, wherein any Christian White Person is concerned.

Yet may be admitted as Evidence against one another;

III. Yet nevertheless, where other sufficient Evidence is wanting against any Negro, or Mulatto Slaves, Free Negro, or Mulatto born of a White Woman, during their Servitude by Law, or against any Indian Native of this or the neighbouring Provinces, in such a Case the Testimony of any Negro, or Mulatto Slave, Free Negro, Mulatto born of a White Woman, or Indian Native of this or the neighbouring Provinces, may be heard and received as Evidence, according to the Discretion of the several Courts of Record, or Magistrate, before whom such a Matter or Thing against such Negro, Mulatto Slave, &c. shall depend; Provided such Evidence or Testimony do not extend to the depriving them, or any of them, of Life or Member.

but not to the loss of Life or Member.

IV. And whereas it so often happens that Negro Slaves, &c. commit many heinous and capital Crimes, which are endeavoured to be smothered and concealed, or else such Negroes, &c. are conveyed to some other Province, and